

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ANTIOXIDANT ENHANCEMENT OF THERAPY FOR HYPERPROLIFERATIVE CONDITIONS

the specification of which (check one)

_____ is attached hereto
 x was filed on November 11, 1997
as application Serial No. 08/967,492
_____ and was amended on: _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority
Claimed

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.

Filing Date

Status

08/886,653

July 1, 1997

pending

As named inventor, I hereby appoint the following attorney(s) or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Sherry M. Knowles, Reg. No. 33,052
Jacqueline Haley, Reg. No. 41,457

Send Correspondence to: Sherry M. Knowles, Esq.
King & Spalding
191 Peachtree Street
Atlanta, Georgia 30303-1763

Direct telephone calls to: Sherry M. Knowles (404) 572-3541

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Rebecca Chinerv

Inventor's signature Rebecca Chinerv Date 12-3-97

Residence 1500 21st Avenue South #212 Nashville, TN 37212

Citizenship UK

Post Office Address Same as above

Full name of second joint inventor R. Daniel Beauchamp

Inventor's signature _____ Date _____

Residence 928 Yearling Way Nashville, TN 37221

Citizenship USA

Post Office Address Same as above

As named inventor, I hereby appoint the following attorney(s) or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Sherry M. Knowles, Reg. No. 33,052
Jacqueline Haley, Reg. No. 41,457

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Full name of sole or first inventor Rebecca Chinery

Inventor's signature _____ Date _____

Residence 1500 21st Avenue South #212 Nashville, TN 37212

Citizenship UK

Post Office Address Same as above

Full name of second joint inventor R. Daniel Beauchamp

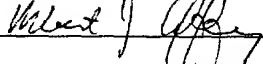
Inventor's signature R. Daniel Beauchamp Date 12-1-97

Residence 928 Yearling Way Nashville, TN 37221

Citizenship USA

Post Office Address Same as above

Full name of third joint inventor Robert J. Coffey

Inventor's signature  Date 8/17/98

Residence 125 Ridge Road Woodside, CA 94062

Citizenship USA

Post Office Address Same as above

Full name of fourth joint inventor Russell M. Medford

Inventor's signature _____ Date _____

Residence 7935 Fawndale Way Atlanta, GA 30350

Citizenship USA

Post Office Address Same as above

Full name of fifth joint inventor Brian Wadsinski

Inventor's signature _____ Date _____

Residence 8217 Londonberry Road Nashville, TN 37221

Citizenship USA

Post Office Address Same as above

Full name of third joint inventor Robert J. Coffey

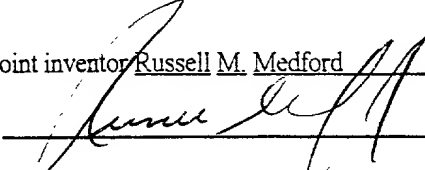
Inventor's signature _____ Date _____

Residence 125 Ridge Road Woodside, CA 94062

Citizenship USA

Post Office Address Same as above

Full name of fourth joint inventor Russell M. Medford

Inventor's signature  Date 1-6-98

Residence 7935 Fawndale Way Atlanta, GA 30350

Citizenship USA

Post Office Address Same as above

Full name of fifth joint inventor Brian Wadsinski

Inventor's signature _____ Date _____

Residence 8217 Londonberry Road Nashville, TN 37221

Citizenship USA

Post Office Address Same as above

Full name of third joint inventor Robert J. Coffey

Inventor's signature _____ Date _____

Residence 125 Ridge Road Woodside, CA 94062

Citizenship USA

Post Office Address Same as above

Full name of fourth joint inventor Russell M. Medford

Inventor's signature _____ Date _____

Residence 7935 Fawndale Way Atlanta, GA 30350

Citizenship USA

Post Office Address Same as above

Full name of fifth joint inventor Brian E. Wadzinski *Brian E. Wadzinski* *BEW*

Inventor's signature Brian E. Wadzinski Date 7/9/98

Residence 8217 Londonberry Road Nashville, TN 37221

Citizenship USA

Post Office Address Same as above

Applicants: Rebecca Chinery, et al.

Serial No.: Unassigned

Filed: July 1, 1998

For: Antioxidant Enhancement of Therapy for Hyperproliferative Conditions

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

AtheroGenics, Inc.
3065 Northwoods Circle
Norcross, Georgia 30071

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.21.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the U.S. Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "Antioxidant Enhancement of Therapy for Hyperproliferative Conditions" by Rebecca Chinery, R. Daniel Beauchamp, Robert J. Coffey, Russell M. Medford, and Brian Wadsinski described in

- ☒ the specification filed herewith
- ☐ application serial no.
- ☐ patent no. , issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e) *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Russell M. Medford

TITLE OF PERSON OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: 3065 Northwoods Circle, Norcross, Georgia 30071



SIGNATURE

July 1, 1998
DATE